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EXAMINER	
DANIEL JR, WILLIE J	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/879,451	PAPADIMITRIOU ET AL.	
	Examiner	Art Unit	
	WILLIE J. DANIEL JR	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 May 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *38-42 and 44-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *38-42 and 44-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 23 May 2008. **Claims 38-42 and 44-55** are now pending in the present application and **claims 1-37 and 43** are cancelled. This office action is made **Non-Final**.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 23 May 2008 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 38-42 and 44-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bohm et al**. (hereinafter Bohm) (**US 6,370,385 B1**) in view of **Ho et al.** (hereinafter Ho) (**US 6,091,953**) and **Naqvi et al.** (hereinafter Naqvi) (**US 6,850,763 B1**).

Regarding **claim 38**, Bohm discloses a telecommunications network (e.g., mobile communication network) providing non-dedicated circuit pathways between access nodes

(e.g., BSC/RNC1-4) and switches (e.g., MSC/SGSN1-2) in the network (see Figs. 3 and 6) comprising:

a plurality of access nodes (e.g., BSC1-4) disposed about a service area of the telecommunications network (see col. 4, lines 45-50; col. 5, lines 51-67; Figs. 3 and 6);

a switch pool (e.g., MSC/SGSN1-2) adapted to communicate with the access nodes (e.g., BSC/RNC1-4) in order to provide access by a plurality of user terminals to services of the telecommunications network (see col. 4, lines 45-50; col. 5, lines 51-67; Figs. 3 and 6), where the user terminals are inherent;

at least two media gateways (e.g., switch 22) providing connections between the access nodes (e.g., BSC/RNC1-4) and the switch pool (e.g., MSC/SGSN1-2) via a plurality of circuit pathways (see col. 4, lines 45-50; col. 5, lines 51-67; Figs. 3 and 6); and

a media gateway selection node (e.g., switch 21) operably coupled between the media gateways (e.g., switch 22) and the switch pool (e.g., MSC/SGSN1-2) (see col. 5, lines 58-62; Figs. 3 and 6),

the media gateway selection node (e.g., switch 21) configured for (see Figs. 3 and 6)

reserving and releasing circuit pathways (e.g., channel) as needed for use between switches of the switch pool (e.g., MSC/SGSN1-2) and the access nodes (e.g., BSC/RNC1-4) (see abstract; col. 4, lines 45-50; col. 6, lines 11-15; Figs. 3 and 6), where the system can dynamically connect and disconnect channels,

wherein an available circuit pathway (e.g., channel) between a requesting switch (e.g., MSC/SGSN1-2) and a target access node (e.g., BSC/RNC1-4) is identified in a media gateway selection database (MGWSDB) by a circuit identity code (CIC) (see col. 4, lines 45-

50; col. 5, lines 58-67; col. 6, lines 1-15; Figs. 3 and 6), where the system connects MSC with BSC via switch (21) coupled to switch (22) in which a database would be inherent for providing channels (or circuits) to connect the components of the system as evidenced by the fact that one of ordinary skill in the art would clearly recognize. Bohm inexplicitly discloses the feature(s) provide access by a plurality of user terminals to services of the telecommunications network; media gateway selection node operably coupled to the media gateways. However, the examiner maintains that the feature(s) provide access by a plurality of user terminals to services of the telecommunications network was well known in the art, as taught by Ho.

In the same field of endeavor, Ho discloses the feature(s) provide access by a plurality of user terminals (e.g., mobile stations 136, 138, 140) to services of the telecommunications network (e.g., wireless communication system 100) (see col. 5, lines 28-32; Fig. 1). As a note, Ho at the least further discloses the feature media gateways (1716, 1718) (see col. 20, lines 1-6; col. 6, lines 1-10; Figs. 17 and 1), where the system has multiple message routers (1716, 1718) and/or dispatching switches (102) that are providing connections between the MSC (1702, 104) and BSC (1708, 110); reserving and releasing circuit pathways as needed for use between switches of the switch pool and the access nodes, wherein an available circuit pathway between a requesting switch and a target access node is identified in a media gateway selection database (MGWSDB) by a circuit identity code (CIC) (see col. 6, lines 19-22; col. 7, lines 39-56; col. 9, line 57 - col. 10, line 4; col. 10, lines 9-37; col. 14, lines 39-37; Figs. 2, 4, 5A-B, 6-8, 11-12, 17-19, 20A-C), where the data of the addressing table defines the connections and routes used within the network and for

establishing and releasing connections between network elements in which a table is maintained and updated.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bohm and Ho to have the feature(s) provide access by a plurality of user terminals to services of the telecommunications network, in order to provide a system operation that increases capacity by equalizing load among a plurality of mobile switching centers, as taught by Ho (see col. 3, lines 52-56). The combination of Bohm and Ho inexplicitly discloses the feature(s) media gateway selection node operably coupled to the media gateways. However, the examiner maintains that the feature media gateway selection node operably coupled to the media gateways was well known in the art, as taught by Naqvi.

In the same field of endeavor, Naqvi discloses the feature media gateway selection node (e.g., switch 300) operably coupled to the media gateways (see col. 5, lines 10-17; col. 17, lines 52-58; Fig. 11), where the switch has media gateway controller (1110) for selecting media gateways. As a note, Naqvi at the least further discloses the feature(s) wherein an available circuit pathway between a requesting switch and a target access node is identified in a media gateway selection database (e.g., proxy switch) by a circuit identity codes (CIC) (see col. 5, lines 10-17; col. 7, lines 14-15,18-20; col. 14, lines 37-38; col. 13, line 66 - col. 14, line 3; Fig. 11), where the switch (300) has a media gateway controller (MGC) for selecting from a plurality of media gateways in which a media gateway selection database must be available and updated in which the switch manages circuits including circuit

identification codes (CICs) between the BSC and the MSC as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bohm, Ho, and Naqvi to have the feature media gateway selection node operably coupled to the media gateways, in order to allow communication traffic to be siphoned to or from alternative network, as taught by Naqvi (see col. 3, lines 61-64).

Regarding **claim 39**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 38), in addition Bohm further discloses the network of claim 38, wherein the switches (e.g., MSC/SGSN1-2) comprise Mobile Switching Centers (MSCs) (e.g., MSC/SGSN1-2) (see col. 5, lines 58-62; Figs. 3 and 6).

Regarding **claim 40**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 38), in addition Bohm further discloses the network of claim 38, wherein the access nodes comprise Base Station Controllers (BSCs) (e.g., BSC/RNC1-4) (see col. 5, lines 58-62; Figs. 3 and 6).

Regarding **claim 41**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 38), in addition Bohm further discloses the network of claim 38, wherein the access nodes comprise Radio Network Servers (RNSs) (e.g., BSC/RNC1-4) (see col. 5, lines 58-62; Figs. 3 and 6).

Regarding **claim 42**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 38), in addition Bohm further discloses the network of claim 38, wherein the gateway selection node database comprises a data structure

defining relationships among gateways, access nodes, and identity codes associated with the circuit pathways (e.g., channels) (see col. 6, lines 1-15; Figs. 3 and 6). As a note, Naqvi at the least further discloses the feature(s) wherein the gateway selection node database (e.g., proxy switch) comprises a data structure defining relationships among gateways, access nodes, and identity codes associated with the circuit pathway (see col. 5, lines 10-17; col. 7, lines 14-15,18-20; col. 14, lines 37-38; Fig. 11), where the switch (300) has a media gateway controller (MGC) for selecting from a plurality of media gateways in which a media gateway selection database must be available and updated as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Regarding **claim 44**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 42), in addition Bohm further discloses the network of claim 42, wherein the identity codes comprise Circuit Identity Codes (CICS) (see col. 5, lines 58-62; col. 6, lines 1-15; Figs. 3 and 6). As a note, Naqvi discloses of the feature circuit identity codes (CIC) (see col. 13, line 66 - col. 14, line 3), switch manages circuits including circuit identification codes (CICs) between the BSC and the MSC.

Regarding **claim 45**, Bohm discloses a method of providing non-dedicated circuit pathways (e.g., channels) between access nodes (e.g., BSC/RNC1-4) and switches (e.g., MSC/SGSN1-2) in a telecommunications network having a plurality of media gateways (e.g., switch 22) operably connected to a media gateway selection node (e.g., switch 21), the method comprising the steps of:

allocating, by the media gateway selection node, a circuit pathway between a switch and a target access node (see col. 6, lines 1-15; Figs. 3 and 6),

wherein said allocating step comprises (see col. 6, lines 1-15; Figs. 3 and 6):

accessing a media gateway selection database to determine which of the plurality of circuit pathways is available (see col. 4, lines col. 5, lines 58-62; col. 6, lines 1-15; Figs. 3 and 6), where the system connects MSC with BSC via switch (21) coupled to switch (22) in which a database would be inherent for providing channels (or circuits) to connect the components of the system;

reserving and releasing circuit pathways (e.g., channel) as needed for use between switches of the switch pool (e.g., MSC/SGSN1-2) and the access nodes (e.g., BSC/RNC1-4) (see abstract; col. 4, lines 45-50; col. 6, lines 11-15; Figs. 3 and 6), where the system can dynamically connect and disconnect channels,

wherein an available circuit pathway (e.g., channel) between a requesting switch (e.g., MSC/SGSN1-2) and a target access node (e.g., BSC/RNC1-4) is identified in a media gateway selection database (MGWSDB) by a circuit identity code (CIC) (see col. 4, lines 45-50; col. 5, lines 58-67; col. 6, lines 1-15; Figs. 3 and 6), where the system connects MSC with BSC via switch (21) coupled to switch (22) in which a database would be inherent for providing channels (or circuits) to connect the components of the system as evidenced by the fact that one of ordinary skill in the art would clearly recognize. Bohm inexplicitly discloses the feature(s) media gateways operably coupled to the media gateway selection node. However, the examiner maintains that the feature(s) media gateways operably coupled to the media gateway selection node was well known in the art, as taught by Naqvi.

Naqvi further discloses the feature(s) media gateways operably coupled to the media gateway selection node (e.g., switch 300) (see col. 5, lines 10-17; Fig. 11), where the switch

has media gateway controller (1110) for selecting media gateways. As a note, Naqvi at the least further discloses the feature(s) accessing a media gateway selection database (e.g., proxy switch) to determine which of the plurality of circuit pathways is available; wherein an available circuit pathway between a requesting switch and a target access node is identified in a media gateway selection database (e.g., proxy switch) by a circuit identity codes (CIC) (see col. 5, lines 10-17; col. 7, lines 14-15,18-20; col. 14, lines 37-38; col. 13, line 66 - col. 14, line 3; Fig. 11), where the switch (300) has a media gateway controller (MGC) for selecting from a plurality of media gateways in which a media gateway selection database must be available and updated in which the switch manages circuits including circuit identification codes (CICs) between the BSC and the MSC as evidenced by the fact that one of ordinary skill in the art would clearly recognize. As a note, Ho also discloses of the feature media gateways (1716, 1718) (see col. 20, lines 1-6; col. 6, lines 1-10; Figs. 17 and 1), where the system has multiple message routers (1716, 1718) and/or dispatching switches (102) that are providing connections between the MSC (1702, 104) and BSC (1708, 110); and de-allocating the circuit pathway (see Figs. 6, 7 "ref. 724", 8, 17 and 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bohm, Ho, and Naqvi to have the feature(s) media gateways operably coupled to the media gateway selection node, in order to allow communication traffic to be siphoned to or from alternative network, as taught by Naqvi (see col. 3, lines 61-64).

Regarding **claim 46**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 45), in addition Bohm further discloses the

network of claim 45, wherein the steps of allocating and de-allocating are performed dynamically (see abstract; col. 4, lines 45-50; col. 6, lines 11-15; Figs. 3 and 6), where the system can dynamically connect and disconnect channels.

Regarding **claim 47**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 45), in addition Bohm further discloses the method of claim 45, wherein the step of de-allocating the circuit pathways is performed by the media gateway selection node (see abstract; col. 4, lines 45-50; col. 6, lines 11-15; Figs. 3 and 6), where the system can dynamically connect and disconnect channels.

Regarding **claim 48**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 45), in addition Bohm further discloses the method of claim 47, further comprising the step of maintaining a switch pool comprising the switches of the telecommunications network, the switch pool operably connected to the media gateway selection node (see col. 5, lines 58-62; Figs. 3 and 6). As a note, Naqvi discloses of the feature switch operably connected to the media gateway selection node (e.g., switch 300) (see col. 5, lines 10-17; Fig. 11), where the switch has media gateway controller (1110) for selecting media gateways.

Regarding **claim 49**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 45), in addition Bohm further discloses the method of claim 45, further comprising the step of maintaining in the media gateway selection database a data structure defining relationships among gateways, access nodes, switches, and identity codes (see col. 6, lines 1-15; Figs. 3 and 6). As a note, Naqvi at the least further discloses the feature(s) the step of maintaining in the gateway selection node

database (e.g., proxy switch) a data structure defining relationships among gateways, access nodes, and identity codes (see col. 5, lines 10-17; col. 7, lines 14-15,18-20; col. 14, lines 37-38; Fig. 11), where the switch (300) has a media gateway controller (MGC) for selecting from a plurality of media gateways in which a media gateway selection database must be available and updated as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Regarding **claim 50**, Bohm discloses a media gateway selection node (e.g., switch 21) for use in a telecommunications network for providing non-dedicated circuit pathways (e.g., channels) between access nodes (e.g., BSC/RNC1-4) and switches (e.g., MSC/SGSN1-2) of a switch pool in the network (see Figs. 3 and 6), comprising:

means for storing data concerning media gateways (e.g., switch 22), access nodes (e.g., BSC/RNC1-4), switches (e.g., MSC/SGSN1-2), and circuit pathways (e.g., channel) of the network (see col. 4, lines col. 5, lines 58-62; col. 6, lines 1-15; Figs. 3 and 6), where the system connects MSC with BSC via switch (21) coupled to switch (22) in which data must be stored for providing channels (or circuits) to connect the components of the system;

means for accessing the data (see col. 4, lines col. 5, lines 58-62; col. 6, lines 1-15; Figs. 3 and 6), where the system connects MSC with BSC via switch (21) coupled to switch (22) and provide and monitor channels (or circuits) to connect the components of the system;

means for defining relationships among the media gateways, access nodes, switches, and circuit pathways (see col. 4, lines col. 5, lines 58-62; col. 6, lines 1-15; Figs. 3 and 6), where the system connects MSC with BSC via switch (21) coupled to switch (22) by providing channels (or circuits) to connect the components of the system; and

means for reserving and releasing circuit pathways (e.g., channel) as needed for use between individual switches (e.g., MSC/SGSN1-2) and individual access nodes (e.g., BSC/RNC1-4) (see abstract; col. 4, lines 45-50; col. 6, lines 11-15; Figs. 3 and 6), where the system can dynamically connect and disconnect channels,

wherein an available circuit pathway (e.g., channel) between a requesting switch (e.g., MSC/SGSN1-2) and a target access node (e.g., BSC/RNC1-4) is identified in a media gateway selection database (MGWSDB) by a circuit identity code (CIC) (see col. 4, lines 45-50; col. 5, lines 58-67; col. 6, lines 1-15; Figs. 3 and 6), where the system connects MSC with BSC via switch (21) coupled to switch (22) in which a database would be inherent for providing channels (or circuits) to connect the components of the system as evidenced by the fact that one of ordinary skill in the art would clearly recognize;

subsequently, de-allocating each allocated circuit pathway between the switch and the target access node (see col. 6, lines 11-15; Figs. 3 and 6), where the system can connect and disconnect channels. Bohm inexplicitly disclose the feature(s) media gateways; media gateway selection node. However, the examiner maintains that the feature(s) media gateways; media gateway selection node was well known in the art, as taught by Naqvi.

Naqvi further discloses the feature(s) media gateways; media gateway selection node (e.g., switch 300) (see col. 5, lines 10-17; Fig. 11), where the switch has media gateway controller (1110) for selecting media gateways. As a note, Naqvi at the least further discloses the feature(s) means for accessing data; wherein an available circuit pathway between a requesting switch and a target access node is identified in a media gateway selection database (e.g., proxy switch) by a circuit identity codes (CIC) (see col. 5, lines 10-

17; col. 7, lines 14-15,18-20; col. 14, lines 37-38; col. 13, line 66 - col. 14, line 3; Fig. 11), where the switch (300) has a media gateway controller (MGC) for selecting from a plurality of media gateways in which a media gateway selection database must be available and updated in which the switch manages circuits including circuit identification codes (CICs) between the BSC and the MSC as evidenced by the fact that one of ordinary skill in the art would clearly recognize. As a note, Ho also discloses of the feature media gateways (1716, 1718) (see col. 20, lines 1-6; col. 6, lines 1-10; Figs. 17 and 1), where the system has multiple message routers (1716, 1718) and/or dispatching switches (102) that are providing connections between the MSC (1702, 104) and BSC (1708, 110); and de-allocating the circuit pathway (see Figs. 6, 7 "ref. 724", 8, 17 and 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bohm, Ho, and Naqvi to have the feature(s) media gateways; media gateway selection node, in order to allow communication traffic to be siphoned to or from alternative network, as taught by Naqvi (see col. 3, lines 61-64).

Regarding **claim 51**, the combination of Bohm, Ho, and Naqvi discloses every limitation claimed, as applied above (see claim 50), in addition Bohm further discloses a media gateway selection node according to claim 50, wherein the data concerning media gateways, access nodes, switches, and circuit pathways, further comprises load carrying capacity (see abstract; col. 6, lines 11-15), where the system connects and disconnects channels to manage the bandwidth.

Regarding **claim 52**, the claim is rejected for the same reasons as set forth above in the rejection of claims 46-47.

Regarding **claim 53**, the claim is rejected for the same reasons as set forth above in the rejection of claims 46 and 49.

Claims 54-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ho et al.** (hereinafter Ho) (**US 6,091,953**) in view of **Naqvi et al.** (hereinafter Naqvi) (**US 6,850,763 B1**) and **Bohm et al**. (hereinafter Bohm) (**US 6,370,385 B1**).

Regarding **claim 54**, Ho discloses a method for dynamic allocation of a circuit pathway between a requesting switch, the MSC (104, 1702) which reads on the claimed "requesting switch" being one of a pool of switches (104, 106, 108), and a BSC (110, 1708) which reads on the claimed "access node" via a dispatching switch (102; message router - 1716) which reads on the claimed "media gateway (MGW)" (see col. 5, lines 18-30; Figs. 1, 17), comprising the steps of:

contacting a Node (1712) requesting a circuit connection (e.g., path or channel) to a target access node (110) (see col. 21, lines 7-18; col. 18, lines 36-41; Figs. 1, 14, 17), where the MSC can trigger an assignment procedure or request a channel by using a network element (1712) to connect. The scalability of the system can be increased by adding additional MSCs, dispatching switches (or message routers) for such reasons as load-balancing and capacity management (see col. 20, lines 28-37, 56-61), where multiple message routers (1718) and/or dispatching switches (102) are implemented in the system and

controlled or managed by a hierarchical system element such as element (1712) or softswitch.;

consulting by a Node (1712) in response to the circuit connection request a Database (e.g., table) to determine an available circuit pathway between the requesting switch (102) and the target access node (110), wherein the circuit pathway is identified in the MGWSDB by a Circuit Identity Code (CIC) (see col. 21, lines 7-18; col. 18, lines 36-41; col. 7, lines 39-65; col. 9, line 57 - col. 10, line 4; col. 10, lines 14-22; Figs. 2 and 5A), where the system is able to establish a connection between the MSC and BSC in which a database and CIC would be inherent because the system has an addressing table that defines the connections and routes used between the elements to allocate a pathway or channel assignment between the MSC (102) and BSC (110);

selecting by the Node (1712) one media gateway (1716) from among a plurality of media gateways (1716, 1718) (see col. 20, lines 1-6; col. 6, lines 1-10; Figs. 17 and 1), where the system has multiple message routers (1716, 1718) and/or dispatching switches (102) that are providing connections between the MSC (1702, 104) and BSC (1708, 110);

reserving the CIC associated with a selected circuit pathway at the one media gateway (102, 1716) (see col. 20, lines 1-6; col. 6, lines 1-10; Figs. 17 and 1), where the system has multiple message routers (1716, 1718) and/or dispatching switches (102) that are providing connections between the MSC (1702, 104) and BSC (1708, 110); and

sending the identity of the MGW and the CIC to the requesting switch (104) (see col. 20, lines 1-6; col. 6, lines 1-10; Figs. 17 and 1), where the system establishes a connection between the message router (1716) and/or dispatching switch (102) in which the MSC (104)

would be aware of the identity of the MGW and CIC to provide signaling. Ho does not specifically disclose having the features media gateway selection node (MGWSN); a media gateway selection database (MGWSDB). However, the examiner maintains that the features media gateway selection node (MGWSN); a media gateway selection database (MGWSDB) was well known in the art, as taught by Naqvi.

In the same field of endeavor, Naqvi discloses the features switch (300) which reads on the claimed media gateway selection node (MGWSN) (see col. 5, lines 10-17; Fig. 11), where the switch has media gateway controller (1110) for selecting media gateways; a media gateway selection database (MGWSDB) (see col. 5, lines 10-17; col. 7, lines 14-15,18-20; col. 14, lines 37-38; Fig. 11), where the switch (300) has a media gateway controller in which a media gateway selection database would be inherent for the switch (300) to select between media gateways of the data plane. Also, the switch manages circuits including circuit identification codes (CIC) between the BSC and the MSC (see col. 13, line 66 - col. 14, line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ho and Naqvi to have the features media gateway selection node (MGWSN); a media gateway selection database (MGWSDB), in order to allow communication traffic to be siphoned to or from alternative network, as taught by Naqvi (see col. 3, lines 61-64).

As further support in the same field of endeavor, Bohm discloses the feature a method for dynamic allocation of a circuit pathway between a requesting switch, the requesting

switch being one of a pool of switches, and an access node via a media gateway (see (see col. 4, lines 45-50; col. 5, lines 51-67; Figs. 3 and 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ho, Naqvi, and Bohm to have the feature a method for dynamic allocation of a circuit pathway between a requesting switch, the requesting switch being one of a pool of switches, and an access node via a media gateway, in order to significantly increase the manageability of a mobile communication network, as taught by Bohm (see col. 2, lines 20-22).

Regarding **claim 55**, Ho discloses a node (1712) in a telecommunications network for dynamic allocation of a circuit pathway between a requesting switch (104, 1702), and a target access node (110, 1708) via a media gateway (102, 1716), the node (1712) (see Figs. 1 and 17) comprising:

a node (N) (1712) for selecting a circuit pathway between the requesting switch (104) and the target access node (110, 1708), wherein the Node (N) (1712) (see col. 20, lines 1-6; col. 6, lines 1-10; Figs. 17 and 1), where the system has multiple message routers (1716, 1718) and/or dispatching switches (102) that are providing connections between the MSC (1702, 104) and BSC (1708, 110) in which the MSC can trigger an assignment procedure or request a channel by using a network element (1712) to connect (see col. 21, lines 7-18; col. 18, lines 36-41; Figs. 1, 14, 17). The scalability of the system can be increased by adding additional MSCs, dispatching switches (or message routers) for such reasons as load-balancing and capacity management (see col. 20, lines 28-37, 56-61), where multiple message routers (1716) and/or dispatching switches (102) are implemented in the system and controlled or

managed by a hierarchical system element such as element (1712) or softswitch. , further comprises

means (1712) for notifying the requesting switch of the circuit pathway selection (see col. 20, lines 19-22, 45-55; col. 21, lines 7-18; col. 18, lines 36-41; Figs. 1, 14, and 17), where the MSC can trigger an assignment procedure or request a channel by using a network element (1712) to connect and

means (1712) for reserving the selection with a selected media gateway (102, 1716), wherein the circuit pathway (Figs. 1 and 17) includes:

the requesting switch (104, 1702), the requesting switch (104, 1702) being one of a pool of switches (104, 106, 108) (see Figs. 1 and 17);

the target access node (110, 1708), the target access node (110, 1708) being one of a group of access nodes (110, 112, 114, 116) (see Figs. 1 and 17); and

the media gateway (102), being one of a plurality of media gateways (102, 1716, 1718) (see Figs. 1 and 17); and

a database (DB) (e.g., table), coupled with the N (1712), for storing circuit identity codes (ClC) necessary to control the allocation of circuit pathways by the N (1712 node) (see col. 7, lines 39-65; col. 9, line 57 - col. 10, line 4; col. 10, lines 14-22; Figs. 1-2, 5A, and 17), where the system is able to establish a connection between the MSC and BSC in which a database and CIC would be inherent because the system has an addressing table that defines the connections and routes used between the elements to allocate a pathway or channel assignment between the MSC (102) and BSC (110). Ho does not specifically disclose having the features media gateway selection node (MGWSN); a media gateway selection database

(MGWSDB). However, the examiner maintains that the features media gateway selection node (MGWSN); a media gateway selection database (MGWSDB) was well known in the art, as taught by Naqvi.

Naqvi further discloses the features switch (300) which reads on the claimed media gateway selection node (MGWSN) (see col. 5, lines 10-17; Fig. 11), where the switch has media gateway controller (1110) for selecting media gateways; a media gateway selection database (MGWSDB) (see col. 5, lines 10-17; col. 14, lines 37-38; Fig. 11), where the switch (300) has a media gateway controller in which a media gateway selection database would be inherent for the switch (300) to select between media gateways of the data plane. Also, the switch manages circuits including circuit identification codes (CIC) between the BSC and the MSC (see col. 13, line 66 - col. 14, line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ho and Naqvi to have the features media gateway selection node (MGWSN); a media gateway selection database (MGWSDB), in order to allow communication traffic to be siphoned to or from alternative network, as taught by Naqvi (see col. 3, lines 61-64).

As further support in the same field of endeavor, Bohm discloses the feature a node in a telecommunication network for dynamic allocation of a circuit pathway between a requesting switch, and a target access node via a media gateway (see (see col. 4, lines 45-50; col. 5, lines 51-67; Figs. 3 and 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ho, Naqvi, and Bohm to have the feature

a node in a telecommunication network for dynamic allocation of a circuit pathway between a requesting switch, and a target access node via a media gateway, in order to significantly increase the manageability of a mobile communication network, as taught by Bohm (see col. 2, lines 20-22).

Response to Arguments

4. Applicant's arguments with respect to claims 38-42 and 44-55 have been considered but are moot in view of the new ground(s) of rejection necessitated by the amended language and/or new limitations.

In response to applicant's arguments, the Examiner respectfully disagrees as the applied reference(s) provide more than adequate support and to further clarify (see the above claims for relevant citations).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIE J. DANIEL JR whose telephone number is (571)272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WJD,Jr/

WJD,Jr
28 July 2008

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617